

Please include all relevant contact information for each lead counsel or pro se litigant, including: mailing address, telephone number, facsimile number, and email address.

III. Discovery

A. Initial Disclosures

The parties must make their Rule 26(a) initial disclosures no later than _____, which is no later than fourteen (14) days after the parties' Rule 26(f) conference.

If the parties believe any changes should be made in the timing, form, or requirement for the Rule 26(a) initial disclosures, please discuss the changes here.

B. Time for Discovery

The time for discovery in this case shall expire on _____, that being no more than six (6) months after the filing of the last responsive pleading.

No discovery request may be served unless the response to the request can be completed within the time specified by the rules and within the discovery period. Except by written consent of the parties first filed with the Court, no deposition shall be scheduled beyond the discovery period.

If a party believes that more time for discovery is needed, an appropriate motion may be filed setting forth good cause for an extension.

C. Subjects of Discovery

Please state the subjects on which discovery may be needed, when discovery should be completed, and whether discovery should be conducted in phases or be limited to or focused on particular issues.

D. Electronically Stored Information

Please discuss any issues about disclosure or discovery of electronically stored information, including the form or forms in which it should be produced.

E. Privilege Claims

Please discuss any issues about claims of privilege or of protection as trial-preparation materials, including - if the parties agree on a procedure to assert these claims after production - whether to ask the Court to include their agreement in an order.

F. Changes to Discovery Limitations

If the parties believe any changes should be made in the limitations on discovery imposed under the Federal Rules or the Local Rules, or if the parties believe any other limitations should be imposed, please discuss those matters here.

G. Other Discovery Matters

If the parties believe the Court should issue any other orders under Rule 26(c), Rule 16(b), or Rule 16(c), please discuss them here.

If the parties are aware of any other actual or potential discovery problems or issues at this time, please discuss them here.

H. Expert Witnesses

Any party who desires to use the testimony of any expert witness will be required to designate the expert according to the following schedule:

The plaintiff must disclose the identity of any expert witnesses on or before _____, that being no more than 90 days after the filing of the last responsive pleading.

The defendant must disclose the identity of any expert witnesses on or before _____, that being no more than 120 days after the filing of the last responsive pleading.

If the defendant designates an expert where the plaintiff has not previously designated an expert, the plaintiff shall have 30 days from the designation of the defendant's expert within which to designate a rebuttal expert witness.

The designation of any expert witness must be accompanied by a written report prepared and signed by the expert in accordance with Rule 26(a)(2)(B). Any designated expert witness must be available to be deposed during the discovery period.

Any supplemental expert reports must be provided to the opposing party (or counsel) on or before _____, that being no more than 160 days after the filing of the last responsive pleading. No additional supplemental reports may be disclosed or provided after this date without leave of Court.

IV. Motion Deadlines

- A. All motions to join other parties or to otherwise amend the pleadings shall be filed on or before _____, that being no more than 30 days before the expiration of discovery in this case.
- B. All dispositive motions shall be filed on or before _____, that being no more than 45 days after the expiration of discovery in this case.
- C. All Daubert motions must be filed on or before _____, that being no more than 30 days after the expiration of discovery in this case. The parties are instructed not to file Daubert motions as part of dispositive motions.

V. Other Matters

A. The parties agree that requests for admission that are propounded solely to authenticate documents as provided for under Federal Rule of Civil Procedure 36(a)(1)(B) are excluded from Local Rule 36-s limitation on the number of requests to admit that can be propounded.

B. The parties are limited by the Local Rules to twenty-five interrogatories (L. R. 33.1), ten requests for production (L. R. 34), and fifteen requests for admissions (L. R. 36). The parties may not exceed these limits without filing a motion and receiving written permission from the Court.

C. All applications to the Court for orders shall be presented in the form of written motions filed pursuant to the Local Rules. Letters, faxes, and telephone calls will not be accepted in lieu of a properly filed motion unless requested or otherwise authorized by the Court.

D. Any request for leave of absence should be filed in the form of a motion. The Court will not consider notices filed pursuant to Uniform Superior Court Rule 16.

E. Do not send courtesy copies of letters, motions, or briefs to the Court.

F. This Scheduling and Discovery Report must be filed as a .pdf document. A scanned Scheduling and Discovery Report will not be accepted.

G. This schedule shall not be modified except upon a showing of good cause and by leave of Court.

This ____ day of _____, ____.

Counsel for Plaintiff

Counsel for Defendant

The Court, having reviewed the information contained in the Scheduling and Discovery Report completed and filed jointly by the parties to this action, hereby ADOPTS the parties' plan and MAKES IT THE ORDER OF THE COURT.

SO ORDERED, this ____ day of _____, ____.

HUGH LAWSON
United States Senior District Judge